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RESPONSE - NOTICE
OF MISSING PARTS

File No.: A33626

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Smith
Serial No. : 09/611,419
Filed : 07/06/2000
For : RECOMBINANT VACCINE AGAINST BOTULINUM
NEUROTOXIN

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. 1.53(f)

Commissioner for Patents
Box Missing Parts
Washington, DC 20231

Sir:

Responsive to the Notice to File Missing Parts of Application Under 37 C.F.R. 1.53(f), enclosed herewith is a Declaration referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- ☒ Name of inventor and application serial number;
☐ Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
☐ Name of inventor, title of invention and filing date;

CERTIFICATE OF MAIL

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on February 28, 2001.

Michelle M. LeCointe
Attorney Name

Michelle M. LeCointe
Signature

46,861
Registration No.

February 28, 2001
Date of Signature

03/07/2001 MMARMOL 00000029 024377 09611419

01 FC:117

890.00 DP

NY02:311335.1

- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

Also enclosed are:

1. ☐ Please charge the amount of \$ 130.00
☒ \$130 - Other than Small Entity
☐ \$ 65 - Small Entity
representing payment of the surcharge
due for late filing of the Declaration
pursuant to 37 C.F.R. 1.16(e);
to deposit account No.02-4377.
2. ☒ A three-month extension of time to file the Response
to Missing Parts is respectfully requested.
The required fee, calculated pursuant to
1.136(a), is enclosed in the amount of \$ 890.00
3. ☐ Other: Filing fees ____
\$ 2042.00
- TOTAL FEE \$ 3062.00

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Michelle M. LeCointe

Patent Office Reg. No. 46,861
Agent for Applicant(s)
(212) 408-2631



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/611,419	07/06/2000	Leonard A. Smith	067252.0105

FORMALITIES LETTER



OC000000005436851

Baker Botts LLP
Attn Laurence H Posorske
The Warner Suite 1300
1299 Pennsylvania Avenue NW
Washington, DC 20004-2400

Date Mailed: 09/29/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1352.
 - \$702 for 39 total claims over 20.
 - \$390 for 5 independent claims over 3.
 - \$260 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2172.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/07/2001 00000029 024377 09611419
02 FC:101 710.00 OP
03 FC:103 702.00 OP
04 FC:102 400.00 OP
05 FC:104 270.00 OP
06 FC:105 90.00 OP
40.00 CH
09/28/00

